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TAGS: [IAEA](#) [KNNP](#) [TRGY](#) [AORC](#) [ENRG](#) [PTER](#) [KN](#) [XP](#)
SUBJECT: IAEA: GUIDANCE FOR USDEL TO 2009 IAEA GENERAL
CONFERENCE, SEPTEMBER 14, 2009

REF: A. UNVIE 359
[B](#). UNVIE 410
[C](#). U.S. POSITION PAPERS EMAILED TO UNVIE BY IO/GS
SEPTEMBER 10 2009.

[1](#). Summary. The Department appreciates the Mission's analysis and recommendations for the September General Conference (GC) meeting (refs A and B). Instructions for USDEL for the GC are provided in paragraphs 2-27 below and follow the provisional agenda in document GOV/2009/19. U.S. position papers were emailed separately by IO/GS on September 10, 2009, to UNVIE (ref c). End Summary.

[2](#). AGENDA ITEM 1 - ELECTION OF OFFICERS AND APPOINTMENT OF THE GENERAL CONFERENCE

ISSUE: The GC will be called upon to formally elect a President, eight Vice-Presidents, a Chairman of the Committee of the Whole (COW), and five additional members, via a motion by the President. Nominations are made by the regional groups. See ref A for details regarding regional group selections.

U.S. POSITION: USDEL should join the expected consensus in endorsing the selection of officers and appointment of the General Committee, as proposed by the Secretariat.

[3](#). AGENDA ITEM 2 - APPLICATION FOR MEMBERSHIP OF THE AGENCY

ISSUE: The GC will have before it applications for membership in the IAEA from Cambodia and Rwanda.

U.S. POSITION: USDEL is authorized to join the expected GC consensus approving the applications for membership by Cambodia and Rwanda.

[4](#). AGENDA ITEM 3 - MESSAGE FROM THE SECRETARY-GENERAL OF THE UNITED NATIONS

ISSUE: Each year the Secretary-General of the United Nations sends a message that is read to the GC. No discussion of the SYG,s message takes place.

U.S. ACTION: USDEL should fax the message to IO/GS as soon as it is delivered.

[5](#). AGENDA ITEM 4 - STATEMENT BY THE DIRECTOR GENERAL

ISSUE: IAEA Director General ElBaradei,s statement serves as an overview of the Conference agenda. The statement is not normally available until delivery.

U.S. ACTION: USDEL should fax the statement to ISN/MNSA and IO/GS as soon as it is available.

[6](#). AGENDA ITEM 5 - ARRANGEMENTS FOR THE CONFERENCE

(a) Adoption of the agenda and allocation of items for initial discussion.

(b) Closing date of the session and opening date of the next session.

ISSUE: The GC will be asked to approve the agenda and allocate the items for initial discussion. The GC is also required to set the closing date of this session and the opening date of the 54th (2010) regular session.

U.S. POSITION: USDEL should join consensus approving the agenda, as well as approving the proposed closing date of the session and opening date of the next session.

17. AGENDA ITEM 6 - APPROVAL OF THE APPOINTMENT OF THE DIRECTOR GENERAL

ISSUE: The GC will be asked to approve the appointment of the new DG, Yukiya Amano of Japan, for a term of four years from December 1, 2009, to November 30, 2013.

U.S. POSITION: USDEL should join consensus on the approval of the new Director General and the tribute to ElBaradei. As Chairman of the North America Group, the USDEL is authorized to deliver the regional group statement welcoming DG-designate Amano and paying tribute to ElBaradei.

18. AGENDA ITEM 7 - CONTRIBUTIONS TO THE TECHNICAL COOPERATION FUND FOR 2010

ISSUE: Each year the Secretariat asks for pledges during the GC for the Technical Cooperation Fund (TCF) for the following year. The Secretariat periodically publishes the results during the GC and announces the results at the end (Agenda Item 26).

U.S. POSITION: No USDEL action required. The United States never makes a TCF pledge at the GC because Congress has not yet appropriated the funds for the following year.

19. AGENDA ITEM 8 - GENERAL DEBATE AND ANNUAL REPORT FOR 2008

ISSUE: The GC will have before it for discussion and its consideration document GC(53)/7, the Agency's Annual Report for 2008.

U.S. POSITION: USDEL should join consensus in approving the IAEA Annual Report for 2008.

110. AGENDA ITEM 9 - ELECTION OF MEMBERS TO THE 2009-2010 Board of Governors

ISSUE: The GC will be called upon to elect 11 members to the Board of Governors who will serve from the end of the fifty-third (2009) regular session to the end of the fifty-fourth (2010) regular session of the General Conference. The GC will also be asked officially to approve the list of 13 Member States designated to serve on the Board.

U.S. POSITION: USDEL should join the expected GC consensus to approve the Board's designation of the 13 Member States and elect the 11 regional group candidates (Africa, GRULAC, Western Europe, Eastern Europe, and SEAP) for elective Board membership, as is customary.

If the Africa Group has not reached consensus on its candidates, USDEL should consult Washington regarding which states to support.

111. AGENDA ITEM 10 - THE AGENCY'S ACCOUNTS FOR 2008

ISSUE: The GC will be asked to take note of the Agency's Accounts for 2008.

U.S. POSITION: USDEL can support the draft resolution taking note of the Agency's Accounts for 2008.

112. AGENDA ITEM 11 - THE AGENCY'S BUDGET FOR 2010-2011

ISSUE: The GC will be asked to approve the Agency's budget

for 2010-2011 contained in GC(53)/5.

U.S. POSITION: USDEL should join consensus on approval of the 2010 Budget, the TCF target, and the 2010 working capital fund level.

¶13. AGENDA ITEM 12 - APPOINTMENT OF THE EXTERNAL AUDITOR

ISSUE: The GC is being asked to approve the recommendation of the Board of Governors concerning the re-appointment of the External Auditor for 2010-2011.

U.S. POSITION: USDEL should join consensus to the Board of Governors recommendation to appoint the German Supreme Audit Institution as the IAEA External Auditor for 2010-2011. If discussions do not produce a consensus candidate, USDEL is instructed to vote for Germany with the understanding that this is Germany's final term as External Auditor. USDEL is instructed to raise the issue of extending the short term-of-office of the External Auditor, currently set at two-years, to a single six-year, non-renewable term.

¶14. AGENDA ITEM 13 - AMENDMENT TO ARTICLE XIV.A OF THE STATUTE

ISSUE: By resolution GC(43)/RES/8, the GC approved an amendment to Article XIV.A of the Agency's Statute, permitting biennial budgeting. The item was included in the agenda, pursuant to the decision of the GC last year (GC(52)/DEC/9), to consider entry into force of the amendment. (Note: the U.S. Senate has not yet been asked to provide its advice and consent to ratification of this amendment.)

U.S. POSITION: USDEL should join consensus on a decision or resolution that urges/encourages Member States to consider accepting the amendment.

¶15. AGENDA ITEM 14 - SCALE OF ASSESSMENT OF MEMBERS, CONTRIBUTIONS TOWARD THE REGULAR BUDGET

ISSUE: The GC will be asked to approve the Scale of Assessment of Members' contributions for the 2010 regular budget.

U.S. POSITION: USDEL may join consensus on a resolution/decision approving the scale of assessments for ¶2010.

¶16. AGENDA ITEM 15 - MEASURES TO STRENGTHEN INTERNATIONAL COOPERATION IN NUCLEAR, RADIATION AND TRANSPORT SAFETY AND WASTE MANAGEMENT

ISSUE: The GC will be asked to take note of the Director General's Report Measures to strengthen international cooperation in nuclear, radiation and transport safety and waste management.

U.S. POSITION: USDEL should join consensus in taking note of the report.

¶17. AGENDA ITEM 16 - NUCLEAR SECURITY: MEASURES TO PROTECT AGAINST NUCLEAR TERRORISM

ISSUE 1: The GC will have before it for adoption the Nuclear Security (NS) Report 2009 and the Nuclear Security Plan (NSP) 2010-2013.

U.S. POSITION: USDEL should join consensus on adoption of the Nuclear Security Report 2009 and the Nuclear Security Plan for 2010-2013.

ISSUE 2: The GC will also have before it a nuclear security (NS) resolution for its adoption. Washington recognizes the difficulties we face in passing a forward-leaning NS resolution this year and appreciates UNVIE reporting and recommendations in this regard (reviewed in ref A). Washington is also sensitive to last year's struggle on this issue and wishes to avoid an acrimonious debate given the

challenges we face on Middle East issues.

U.S. POSITION: USDEL is authorized to use proposals in ref A and those provided the French informally to seek consensus agreement on a resolution that at a minimum contains elements, updated as appropriate, contained in last year's resolution. UNVIE should seek further guidance from Washington if this minimum goal cannot be attained.

¶18. AGENDA ITEM 17 - STRENGTHENING OF THE AGENCY'S TECHNICAL COOPERATION ACTIVITIES

ISSUE: The Committee of the Whole (COW) of the GC will serve as the forum to allow the Director General (DG) to report on the implementation of last year's General Conference Resolution on this agenda item, (GC(51)/RES/13). A resolution similar to GC(51)/RES/13 will likely be proposed in the COW.

U.S. POSITION: USDEL is authorized to advocate the posture contained in the U.S. position paper (ref C), modified as USDEL views appropriate, on strengthening Technical Cooperation activities.

¶19. AGENDA ITEM 18 - STRENGTHENING THE AGENCY'S ACTIVITIES RELATED TO NUCLEAR SCIENCE, TECHNOLOGY AND APPLICATIONS

ISSUE: This item is included in the provisional agenda pursuant to resolutions GC(51)/RES/14 and GC((52)/RES/12. It is expected that the GC will have before it reports on a number of issues, including developments in items under GC(51)/RES/14.A and B; GC(52)/RES/12.A and B; and the Nuclear Technology Review.

U.S. POSITION: USDEL is authorized to advocate the posture contained in the U.S. position paper (ref C), modified as the USDEL views appropriate, on nuclear applications.

¶20. AGENDA ITEM 19 - STRENGTHENING THE EFFECTIVENESS AND IMPROVING THE EFFICIENCY OF THE SAFEGUARDS SYSTEM AND APPLICATION OF THE MODEL ADDITIONAL PROTOCOL

ISSUE: The GC will address issues arising during the negotiation and adoption of a resolution on strengthening effectiveness and improving efficiency of the safeguards system and application of the Model Additional Protocol.

U.S. POSITION: USDEL is authorized to advocate the posture contained in the U.S. position paper (ref C), modified as the USDEL views appropriate, on strengthening the safeguards system and application of the Model Additional Protocol.

¶21. AGENDA ITEM 20 - IMPLEMENTATION OF THE NPT SAFEGUARDS AGREEMENT BETWEEN THE AGENCY AND THE DEMOCRATIC PEOPLE'S REPUBLIC OF KOREA (DPRK)

ISSUE: The Board will send to the GC, in document GOV/2009/45, a report from the DG on verification and monitoring in the Democratic People's Republic of Korea. The report will cover developments since the September 2008 session of the GC on the implementation of the ad hoc monitoring and verification arrangement in the DPRK, including the DPRK's notification on April 14, 2009, of its decision to cease all cooperation with the IAEA, request IAEA inspectors to remove containment and surveillance equipment from the facilities at Yongbyon, and require the inspectors to leave the DPRK.

U.S. POSITION: The United States will not accept North Korea as a nuclear weapon state and remains committed to the September 2005 Joint Statement, the core objective of which is the verifiable denuclearization of the Korean Peninsula in a peaceful manner. The United States wants North Korea to return to the Six-Party Talks and honor its commitments to abandon all nuclear weapons and existing nuclear programs and return to the NPT and IAEA safeguards. The United States remains open to engaging North Korea, including bilaterally on the basis of the 2005 Joint Statement and in support of

the Six-Party Talks. North Korea must commit to irreversible steps leading to complete and verifiable denuclearization. The United States believes that the IAEA has an important role to play in that process.

¶22. AGENDA ITEM 21 - Application of IAEA safeguards in the Middle East.

ISSUE and U.S. POSITION: Instructions will be sent septel.

¶23. AGENDA ITEM 22 - Amendment to Article VI of the Statute

ISSUE: The 1999 General Conference approved this amendment to Article VI of the Agency,s statute, the purpose of which is to expand Board membership from 35 to a total of 43 Member States to provide a "more democratic representation" of the Board. The Secretariat informs Member States in document GC(53)/10 of progress on the amendment's ratification. Thus far, 48 states have ratified, out of a total of 100 required for entry into force. The United States has not ratified this amendment.

U.S. POSITION: USDEL should join consensus in taking note of these ratifications.

¶24. AGENDA ITEM 23 - ELECTIONS TO THE AGENCY'S STAFF PENSION COMMITTEE

ISSUE: The Conference will likely be called upon to elect representatives from Member States to approve the election of one alternate member to serve on the Agency,s Staff Pension Committee.

U.S. POSITION: USDEL should join consensus and advocate the posture contained in the U.S. position paper (ref C), modified as USDEL views appropriate, on elections to the Agency,s Staff Pension Committee.

¶25. AGENDA ITEM 24 - Personnel

(a) Staffing of the Agency,s Secretariat

ISSUE: Resolution GC(49)/RES/16A requires the Director General to report on a biennial basis the progress made in insuring the Agency is well represented by its Member States and provide in writing the status of the efforts made to achieve that representation.

U.S. POSITION: USDEL may join consensus in taking note of the information contained in this report. USDEL should note that the forecasted separations over the next seven years could become problematic and prevent the IAEA from effectively and efficiently accomplishing its stated goals. USDEL should inquire as to what organizational measures are being pursued to address this issue.

(b) Women in the Secretariat

ISSUE: Resolution GC(49)/RES/16B requires the Director General to report on a biennial basis the progress made in rectifying the gender imbalance and improving the representation of women in the Secretariat in the Professional and higher categories. This agenda item was last discussed in 2007 during the September Board of Governors meeting.

U.S. POSITION: USDEL should join consensus in taking note of the information contained in this report; however, USDEL should require that the Secretariat include a section in future reports on specific IAEA initiatives and efforts actively to recruit women to rectify the gender imbalance and improve the representation of women in the Secretariat in the Professional and higher categories.

¶26. AGENDA ITEM 25 - EXAMINATION OF DELEGATE,S CREDENTIALS

ISSUE: Whether to endorse the General Committee,s report to the General Conference on delegates, credentials, with

particular attention to possible political bias regarding Israel,s credentials.

U.S. POSITION: USDEL, working with the WEOG and other like-minded states, will have to ensure that an equitable deal is worked with regard to the Arab League challenge and the Israeli rebuttal, as in the past. USDEL should carefully monitor the work of the General Committee regarding credentials to ensure that Israel,s credentials are dealt with as in prior years, as outlined in Ref A. Similarly, USDEL should forestall any attempt to modify agreed language on the floor of the GC Plenary.

¶27. AGENDA ITEM 23 - REPORT ON CONTRIBUTIONS PLEDGED TO THE TECHNICAL COOPERATION FUND (TCF) FOR 2010

ISSUE: It is expected that pledges of contributions to the TCF for 2010 will be obtained during the GC and that the GC President will communicate a report thereon to the Conference.

U.S. POSITION: No USDEL action is required. The United States never makes a TCF pledge at the GC because Congress has not yet appropriated the funds for the following year.
CLINTON